

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LEE D. WEST and LYNN M. WEST, )  
                                       )  
Plaintiffs                         )  
                                       )  
v.                                 )      Case No. 08 C 2154  
                                       )  
COPIAGUE FUNDING CORPORATION, )      Hon. Robert W. Gettleman  
et al.,                             )  
                                       )  
Defendants                         )

**JOINT MOTION FOR EXTENSION OF TIME TO ANSWER  
OR OTHERWISE RESPOND TO PLAINTIFFS' AMENDED COMPLAINT**

Defendants Homecomings Financial, LLC (f/k/a Homecomings Financial Network, Inc.), Aurora Loan Services, LLC and Mortgage Electronic Systems, Inc., by their counsel, J. Matthew Goodin and Christine E. Obrochta (Locke Lord Bissell & Liddell, LLP), and Plaintiffs Lee D. West and Lynn M. West, by their counsel, Al Hofeld Jr. (Law Offices of Al Hofeld, Jr., LLC), respectfully request that the Court enter an order extending the deadline for Defendants to answer or otherwise respond to the Amended Complaint in this matter (currently July 25, 2008) up to and including August 8, 2008. The parties jointly request this extension of time so that they may complete settlement discussions in this matter and state as follow:

1.     On June 20, 2008, Plaintiffs filed an Amended Complaint adding seven counts to their original Complaint, including class allegations.
2.     On June 25, 2008, the Court entered an Order granting Defendants thirty days in which answer or otherwise respond to the Amended Complaint.
3.     Since the date of entry of the Court's June 25, 2008 Order, Plaintiffs have continued their efforts to obtain substitute financing to complete their requested rescission, and

the Parties' counsel have been in discussions concerning the merits of certain of the claims asserted in the Amended Complaint, including the putative class claims.

4. The Parties have additionally altered the focus of their negotiations towards a potential loan modification. Such negotiations, however, have been unable to proceed over the last week because a necessary contact person has been on a week-long vacation, and the information needed to evaluate any loan modification proposal is unavailable in her absence.

5. Moreover, as a result of the Parties' discussions concerning the merits of Plaintiffs' Amended Complaint, on July 22, 2008, Plaintiffs filed a stipulation voluntarily dismissing all of their class counts and allegations, and numerous other claims and allegations of the Amended Complaint. (*See* Docket No. 24).

6. In light of the efforts being taken by Plaintiffs to secure substitute financing and the Parties' continuing negotiations, the Parties believe that another short extension of time will allow them to exhaust settlement possibilities and/or amicably resolve this matter.

7. This motion is made in the interest of justice and not for the purpose of delay.

WHEREFORE, Plaintiff and Defendants respectfully request entry of an order allowing Defendants up to and including August 11, 2008 to answer or otherwise respond to Plaintiffs' First Amended Complaint.

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/s/ Al Hofeld  
 Al Hofeld, Jr.  
 Law Office of Al Hofeld, Jr., LLC  
 and The Project for Social Justice, Inc.  
 208 S. LaSalle Street, Suite #1650  
 Chicago, Illinois 60604  
**ATTORNEY FOR PLAINTIFFS**

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/s/J. Matthew Goodin  
 J. Matthew Goodin  
 Christine E. Obrochta  
 Locke Lord Bissell & Liddell, LLP  
 111 South Wacker Drive  
 Chicago, IL 60606  
**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I, J. Matthew Goodin, certify that on July 24, 2008, I had a true copy of the preceding document filed with the Court and served via the court's electronic filing system.

/s/ J. Matthew Goodin